

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
AUGUSTA DIVISION

2005 JUN 17 AM 11:35

CLERK B. McCarty
SO. DIST. OF GA.

UNITED STATES OF AMERICA

v.

CR 104-060

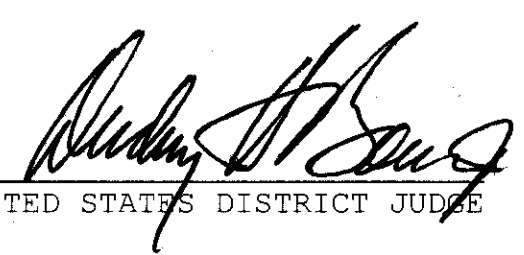
RUSSELL J. ELLICOTT, D.P.M.

ORDER

Presently before the Court in this criminal matter are Defendant's objections to a Report and Recommendation of the United States Magistrate Judge entered on May 26, 2005. In the Report and Recommendation, the Magistrate Judge recommends that Defendant's motion to suppress patient files and records removed from his office by law enforcement agents on October 3, 2002 be denied.

After a careful de novo review of the record in this case, the Court concurs with the Magistrate Judge's Report and Recommendation. Accordingly, the Report and Recommendation of the Magistrate Judge (doc. no. 57) is **ADOPTED** as the opinion of the Court. Defendant's motion to suppress (doc. no. 27) is hereby **DENIED**.

ORDER ENTERED at Augusta, Georgia, this 16th day of June, 2005.


UNITED STATES DISTRICT JUDGE

United States District Court
Southern District of Georgia

UNITED STATES OF AMERICA

vs.

RUSSELL J. ELLICOTT

CASE NO. CR104-60

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The undersigned, a regularly appointed and qualified deputy in the office of this Clerk of this District, while conducting the business of the Court for said Division does hereby certify the following:

- 1 Pursuant to instructions from the court, and in the performance of my official duties, I personally placed in the U.S. Mail a sealed envelope bearing the lawful frank of the Court, and properly addressed to each of the persons, parties or attorneys listed below;
and
2. That the aforementioned envelope(s) contain a copy of the documents known as Order dated 6/17/05, which is part of the official records of this case.

Date of Mailing: 6/17/05

Date of Certificate: 6/17/05

SCOTT L. POFF, CLERK

By

:

L. Ponder

NAME:

1. Russell J. Ellicott
2. Richard E. Allen
3. Eric C. White
4. _____
5. _____
6. _____
7. _____

Cert/Copy

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| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Magistrate Judge |
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| <input type="checkbox"/> | <input checked="" type="checkbox"/> | U.S. Attorney |
| <input type="checkbox"/> | <input type="checkbox"/> | JAG Office |

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| <input type="checkbox"/> | <input type="checkbox"/> | Ray Stalvey |
| <input type="checkbox"/> | <input type="checkbox"/> | Cindy Reynolds |